LEADING AGRICULTURAL EASEMENT PROGRAMS: PROFILES AND MAPS

Draft and Sample of Report 1 from THE NATIONAL ASSESSMENT OF AGRICULTURAL EASEMENT PROGRAMS

Prepared for Farming on the Edge: Finding the Balance
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Program Profiles and Maps
Monterey Agricultural and Historical Conservancy–California
Gunnison Ranchland Conservation Legacy–Colorado
Connecticut State Program–Connecticut
Baltimore County–Maryland
Peninsula Township–Michigan
Cumberland County–New Jersey
Lancaster County–Pennsylvania
Vermont State Program–Vermont
Skagit County–Washington

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The National Assessment of Agricultural Easement Programs

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The Research Team expresses appreciation to the easement program directors and others who were more than generous in supplying detailed information about their programs—the basis for the profiles included in this draft report. We also thank the GIS experts who provided to our specifications the color maps that illustrate program achievements.
Initiated in the spring of 2002, the National Assessment is an evaluation of the impacts and effectiveness of the agricultural easement technique for protecting farmland from urbanization, as implemented by local and state agencies. Our research sample includes 48 separate easement programs in 15 states. Most programs are managed by county and other local governments, but the sample also includes several nonprofit land trusts and a few state governments which directly acquire and hold easements. (See following page for the list of programs.) This sample includes most of the programs throughout the nation that have put substantial amounts of agricultural acres and individual farms under easement, generally through significant funding and staffing.

We focus on the “back end” or outcomes part of the agricultural easement process, as compared to most research to date that deals with the “front end” issues of funding, organizing, and acquiring easements. Now that this technique has accumulated a quarter-century record and has steadily increased in popularity and use, the time is ripe to evaluate its effectiveness in reversing or minimizing the farmland conversion trend in the United States. Considering that additional billions of federal, state, local and private sector dollars soon will be added to the approximately $1.2 billion spent to date to protect 800,000 farmland acres, how do we evaluate the public benefits of this large investment in payments to private landowners?

**Effectiveness.** We define “effectiveness” in this project largely according to the community or regional impacts of individual agricultural easement programs. To examine the degree of effectiveness requires looking beyond the individual farms directly protected by easements to consider impacts on broader landscapes. Thus we focus on the strategic uses of the technique as well as its parcel-specific characteristics.

Measures of effectiveness used in the research include easement program impacts on: (1) the rate and direction of farmland conversion, (2) local and regional land use patterns, (3) local land markets, (4) local agricultural economies, (5) likely long-term protection, and (6) ongoing program management and compliance.

Impacts are examined (1) in the context of each program’s objectives, acquisition strategies, and connections to local government planning and land use policies and practices, and (2) the scope and character of the landscape in which each program operates.
Research Methods. Starting with the collection of information from available and largely published sources, the project is building an extensive database on the organization, community demographics, agricultural characteristics, funding, acquisition strategies, geographical patterns, local government planning connections, and other characteristics of each of the 48 sample programs. The online database will be open in the near future to the general audience.

The primary research method, however, involves extensive phone interviews with approximately four knowledgeable persons per program. As well program managers, the interviewees program include persons usually not directly affiliated with the easement program—a local planner, agricultural leader, and rural lands appraiser or other land market expert. Beyond fleshing out the details of each program’s operations, the interviews ask respondents their perceptions of program impacts, generally and in several different areas. Transcripts of the recorded interviews provide the raw data for the major part of the analysis and reports. We expect to complete almost 200 interviews (including two for some persons) for the project — a goal that was about half accomplished by March 1, 2002.

Project Reports and Dissemination. With support from the Farm Foundation for production of publications, research findings will be issued through a series of four reports through early 2004:

1. Leading Agricultural Easement Programs: Profiles and Maps. The expanded and complete version of this draft, including a summary analysis of program details.

2. Easement Acquisition Strategies. A briefer report than #1, this will examine comparatively the varied acquisition strategies and priorities of the programs in our sample. They vary considerably—quantitative ratings versus discretionary standards, parcel-specific versus locational criteria,

3. Easements and Land Use Planning. Besides the range of agricultural zoning practices, this report will look at other planning and land use policies such as comprehensive plans, urban growth boundaries, intergovernmental agreements on growth, etc., that complement or ignore easement programs.

4. Ag Easement Programs in the U.S.: Impact and Effectiveness. The summary and final report of the project, this will compare programs according to several different measures of effectiveness.
Research Sample - National Assessment of Agricultural Easement Programs

California
1. Marin Agricultural Land Trust
2. Monterey Conservancy
3. Napa County Land Trust
4. Sonoma Open Space District
5. South Livermore Land Trust
6. Yolo Land Trust

Colorado
7. Boulder County
8. Gunnison County
9. Routt County Yampa Valley Land Trust

Connecticut
10. State Program

Delaware
11. State Program

Maryland
12. Anne Arundel County
13. Baltimore County
14. Calvert County
15. Caroline County
16. Carroll County
17. Frederick County
18. Harford County
19. Howard County
20. Montgomery County
21. Washington County

Massachusetts
22. State Program

Michigan
23. Peninsula Township

New Jersey
24. Burlington County
25. Cumberland County
26. Hunterdon County
27. Monmouth County
28. Morris County
29. Somersett County
30. Sussex County

New York
31. Southold Twp
32. Suffolk County

North Carolina
33. Forsyth County

Pennsylvania
34. Adams County
35. Berks County
36. Buckingham Township
37. Bucks County
38. Chester County
39. Lancaster County
40. Lehigh County
41. Westmoreland County
42. York County

Vermont
43. State Program

Virginia
44. Virginia Beach City

Washington
45. King County
46. San Juan County
47. Skagit County

Wisconsin
48. Dunn Township
National Assessment of Agricultural Easement Programs

Programs Studied in Project

Local Governments
Land Trusts
State Governments
National Assessment of Agricultural Easement Programs

Enlarged View Northeast Region

Local Governments
State Governments

American Farmland Trust

UNIVERSITY OF CALIFORNIA
Agricultural Issues Center
MONTEREY COUNTY AGRICULTURAL AND HISTORICAL LAND CONSERVANCY
researched by Al Sokolow


Overview. Monterey County has a long Pacific coastline and is well-known as a tourism attraction. But its major agricultural asset is the Salinas Valley, the 50-mile long inland region that grows much of the nation’s fresh vegetables and accounts for the major part of the county’s $2.9 billion in annual farm market receipts, the third highest in California. Here is where the Conservancy, a nonprofit land trust, concentrates its easement work. A number of the easements acquired by the Conservancy are strategically located on the western edges of several Valley cities, forcing the redirection of their expansion away from the best agricultural soils on the valley floor to less productive hillsides to the east. The Conservancy maintains its active acquisition record with only one staff person and a small operating budget.

Easement Activity. 7,748 agricultural acres in 20 properties, 82% cropland (mainly vegetables and grapes) and 18% grazing. The first easement was acquired in 1985. The Conservancy also owns in fee two coastal farms totaling 317 acres, that grow high value crops (artichokes and strawberries) and that generate income for operating and acquisition purposes. Three non-agricultural easements totaling 135 are also held by the Conservancy, including 10 acres in a city preserve and 125 acres devoted to wetlands and habitat protection.

Program Goals: None set.

Other Easement Programs in County: No other local programs.

Funding.

—Acquisition Spending to Date: About $ 12 million on ag easements.
—Revenues: State funds (1988 state bond act, Coastal Conservancy, Farmland Conservancy Program), local fundraising, foundation support, federal funds. First California program to receive funds from the federal Farmland Preservation Program.

Governance. Nonprofit land trust governed by a seven-member board of directors. Most members have agricultural and local government connections. The Conservancy is not a membership organization.

Organization: Staff and Operating Budget. 1 staff person, the “managing director”, employed under a management services contract. He is a former board member and founder of the Conservancy. Annual operating budget about $90,000.

Origins. Formed by a small number of residents, mostly associated with local agriculture and including leaders in county and state government. Their efforts were in part stimulated by the organization a few years earlier of the Marin Agricultural Land Trust (MALT), the nation’s first specifically agricultural land trust. Little involvement of mainstream environmentalists. Formation was assisted by advice and training by the TPL and AFT.

Acquisition Process and Strategy. The Conservancy board makes all decisions. Not employing a rating system or a formal application process, the board and the managing director exercise considerable discretion in seeking easement candidates in selective locations. A great deal of geographical targeting around cities in the vegetable-growing Salinas Valley. Much attention is given to establishing and maintaining rapport with select farmland owners.

Quantitative Rating of Parcels: No.

Data for 2002 unless otherwise indicated.
Other Criteria: A 1985 “Operating Plan” identifies as prime acquisition factors the quality of the agricultural-natural-historical resources, magnitude of threat, location, and probability of funding. The use of a “clear-cut formula” is expressly denied and emphasis is given to the “exercise of careful judgment”.

Connections to Local Planning and Land Use Policies. The Conservancy’s easement activities complements county planning and vice-versa. County planning and land use policies generally support the protection of prime cropland in the Salinas Valley and the direction of urban development to the cities. This is also the policy of the Monterey LAFCO (local agency formation commission), the state-mandated boundary control body that reviews and approves proposals for city expansion. Under consideration in 2002 in the update of the county’s general plan were proposals to cite the easement technique as a means of maintaining urban-rural delineations and a program for mitigating farmland loss by placing easements on other farmland.

There are some tensions, however, between the Conservancy and cities in the Salinas Valley where easements have blocked city expansion to the west and redirected it to the east. While this moves development to less productive agricultural soils on slopping land, it also imposes higher infrastructure costs for municipal sewer and water systems.

Zoning: Agricultural zoning. 1:40 density in most agricultural areas including the Salinas Valley. 1:150 in grazing areas, generally in the southeastern part of the county.

Agricultural Land. 1.5 million acres, 25.1.2% cropland (including 174,000 prime acres mainly in the Salinas Valley) and the rest in grazing.

Conversion to Urban Use: 8,960 total ag acres in 1990-2000 (.6% of 1990 base), including 4,732 crop-land or important farmland acres (2.0% of base) and 3,898 prime acres (2.2%).

Demographics.
2000 Population: 401,762
1990-2000 Population Change: +46,100 residents, +12%

Other Agricultural Characteristics.
2000 Market Value: $2.9 billion
Principal Commodities: vegetables, fruits, nuts, grapes, nursery

Easement Geography – Map Narrative
Easements held by the Conservancy stretch almost the entire 100-mile south-north length of the county, with a couple in the coastal area near the mouth of the Salinas River and several in the grazing canyons of south county. However, most easements are located in the 50-mile long Salinas Valley, the narrow and long inland fertile valley that is the county’s principal crop growing areas. While seemingly scattered throughout the valley, the majority are situated adjacent to or close to city borders. As shown in the inset maps of the King City and Gonzales areas, easements in strategic locations generally block city expansion onto the most productive agricultural lands to the west.

Data for 2002 unless otherwise indicated
Overview. Self-described as an “intermediary organization for conservation-minded landowners,” the Gunnison Legacy engages in transactions but does not hold easements nor fund their purchases. Rather it facilitates the deals by representing ranchers, securing funds from multiple sources, arranging for land trusts to hold the easements, and coordinating the paperwork. The Legacy formally is not a land trust. County government participation in the easement program is limited to funding from a countywide sales tax. Mountains and river valleys that dominate the landscape of this central Colorado county attract affluent second home purchasers. Ski resorts, tourism, and ranching are the major economic activities.

Easement Activity. 7400 acres in 18 properties. All ranchland including irrigated meadows. Numerical Goals: None formally; program operates year by year. Other Easement Programs in County: Crested Butte Land Trust serves a small part of the county.

Funding. Acquisition Spending to Date: $8.6 million on ag easements. Revenues: Top funding sources are the state government (Great Colorado Outdoors), landowner donations, federal funds, county sales tax, foundations. County voters in 1997 approved a half-cent sales tax proposed by county government to support the program. The Legacy asks landowners to donate about 25% of easement value. The Crested Butte area has a real estate transfer tax that since 1991 has collected more than $1.5 million for open space purposes.

Governance. The nonprofit Gunnison Ranchland Conservation Legacy is headed by a 9-member, self-selected board. Board members include ranchers, sky resort executive, and the manager of a statewide land trust.

Staff and Operating Budget. One full-time staff—the Executive Director. Annual operating budget of about $160,000.

Origins. The Legacy was founded by a rancher and an environmentalist in 1996, with the intention to use nonregulatory methods to help ranchers faced by development pressures and to retain open space (especially scenic irrigated pastures) as a public amenity. The founding was aided by a startup $1.2 million grant from the state’s open space program, Great Outdoors Colorado.

Acquisition Process and Strategy. The Legacy does not employ explicit criteria in its selection of ranchers to work with in securing easement funding. First come, first serve is the general approach. Once funding is obtained, a land trust is sought for holding the easement. Quantitative Rating of Parcels: No. Other Criteria: Parcels with habitat (elk winter range, sage grouse habitat, etc.) as well as agricultural values are slightly advantaged in attracting easement funding from environmental orga-
nizations and thus advance to the head of the long waiting list of interested landowners. Given the location of Gunnison County’s best cattle grazing land, the Legacy concentrates its easement work on river valleys.

**Connections to Local Planning and Land Use Policies.** With the exception of obtaining sales tax funds for easement acquisitions, the Legacy is formally independent from county government and its policies. But the two entities have an indirect connection through a common objective, the protection of the county’s open spaces. A related policy in the county’s land use resolution provides incentives (expedited processing, density bonuses, more certain standards, etc.) for developers who agree to clustering residential lots. Known as the Large Parcel Incentive Process, this encourages developers to submit large proposed subdivisions to county review. (Colorado state law limits county control to parcels under 35 acres).

**Zoning:** No formal zoning. But the county has a version of “performance” zoning, involving the review of proposed development according to compatible use with the surrounding landscape.

**Agricultural Land.** 204,300 acres, 80% ranchland.

*Conversion to Urban Use:*

**Demographics.**

*2000 Population:* 13,956
*1990-2000 Population Change:* + 35.8%

**Other Agricultural Characteristics.**

*1997 Market Value:* $17 million.
*Principal Commodities:* nursery and greenhouse, cattle, horses

**Easement Geography – Map Narrative**

Most of the county’s easements facilitated by the Gunnison Ranchland Conservation Legacy cover ranchland in river valleys, including many acres of irrigated pasture. Some of the easements form a near-contiguous 17-mile strip along the Tomachi Creek Valley. Gunnison city and Crested Butte are the largest population centers. About 85% of the county’s area is public land, including National Forests.

data for 2002 unless otherwise indicated
Statewide program. Formed in 1978.

Overview. One of the few programs in the country (the others are Delaware, Massachusetts and Vermont) in which state government directly manages transactions and holds easements, and is not primarily a funder of local programs. A small staff administers a program that currently spends about $2 million a year in state bond money to acquire easements. Connecticut is the fourth most densely populated state in the nation. A few local governments (towns) participate with the state on a cost-share basis or hold their own easements. Focus on Town of Woodstock: easements are seen here as helping to maintain a low density, rural residential community, as in other towns with significant farmland in the eastern part of the state.

Easement Activity. 28,850 acres in 200 properties, representing about 8% of the state’s farmland. Easements average about 140 acres. First easements acquired in 1979. Town of Woodstock contains 900 agricultural easement acres in 10 farms held by the state, among the largest totals for individual towns.

Numerical Goals: 130,000 agricultural acres—estimated as sufficient to meet state’s needs for 50% of fresh fruit and 70% of in-season fresh fruits and vegetables.


Funding. 
Acquisition Spending to Date: $84.2 million on ag easements.
Revenues: State bonds almost exclusively, payable from general funds revenues, with total of $87.7 million authorized so far. Funds are appropriated annually from state’s bond budget. Small amount of federal funds to date. A few townships cost-share with the state for agricultural and environmental easements. The Town of Woodstock appropriates $50,000 annually from its general budget for open space spending.

Governance. The Farm Preservation Program is housed in the state Department of Agriculture.

Staff and Operating Budget. Two-person staff, reduced through attrition and budget cuts from five in the early 1990s. Appraisal and legal work are contracted out. Annual operating budget of $175 - 200,000.

Origins. State legislation in 1978, following the work of a gubernatorial commission, the Task Force for the Preservation of Agricultural Land established in 1974. This was a response to landowner interest in creating alternatives to urban conversion.

Acquisition Process and Strategy. The Commissioner of Agriculture makes final decisions. Two-step process. In the first, quantitative scoring determines initial eligibility. More discretionary factors are used in the second stage, including geographical targeting to cluster easements in areas with the best farms.

data for 2002 unless otherwise indicated
Quantitative Rating of Parcels: Yes, for minimum eligibility. Agricultural quality is 50%; other top weights are parcel size, contiguity, farm management. Negative points for nearby intensive development and high cost.

Other Criteria: Geographical targeting. Anticipated costs, as determined by preliminary negotiations with landowners, may preclude further action on a transaction before the appraisal.

Connections to Local Planning and Land Use Policies. Towns are the local planning and zoning authorities in Connecticut. The state requires each town to prepare a 10-year Plan for Conservation and Development.

Town of Woodstock: Emphasis is on low density, rural residential land uses. Cluster development incentives (allowing 3/4 acre lots) in return for 40% open space dedication, for parcels of at least 10 acres. The absence of public water and sewer facilities limits development. Woodstock’s planning policies are typical for communities in eastern Connecticut which are more rural than towns in the western part of the state.

Zoning: Typical agricultural zoning in eastern Connecticut is 1:2 (one residence per two acres) without public water and sewer, and with minimum amount of road frontage per parcel. Agricultural zoning is generally agricultural-residential, not exclusive agriculture. Town of Woodstock: No agricultural zoning, but farming is allowed as a right. The town recently downzoned its basic residential zone to a 1:2 density (from 1:1 1/4).

Agricultural Land. 359,313 acres. 50% cropland
Conversion to Urban Use: 4% of farmland in 1982-1997

Demographics.
2000 Population: 3,405,565
1990-2000 Population Change: +3%

Other Agricultural Characteristics.
1997 Market Value: $421 million
Principle Commodities: Poultry & Poultry Products, diary Products, aquaculture

Easement Geography – Map Narrative
Easements are scattered throughout the state, with a few areas of concentration. However, most easements acquired by the state program are in eastern Connecticut, the principal agricultural region. Center and western Connecticut are more suburban and less agricultural. Town of Woodstock: easements are primarily located in the eastern part, an area of relatively large farms.

data for 2002 unless otherwise indicated
Overview. Baltimore County, surrounding on three sides the city of Baltimore, is heavily influenced by the urban center’s economy, culture and transportation networks. An Agricultural Preserve Area (APA) of nearly 140,000 acres is delineated in the northern part of the county, reinforced with strict agricultural zoning. The county permanently protects farmland through its Easement Purchase Program (established 1994), Maryland Agricultural Land Preservation Program (established 1979), and the state’s Rural Legacy program (since 1997.) The Agricultural Preserve Area is experiencing significant development pressure due to build out in nearby areas and competition from allowed non-farm uses in the APA.

Easement Activity. 25,035 agricultural acres in 207 properties, including easements in the county PDR, MALPP and Rural Legacy programs. Other Easements: 2,336 acres preserved through cluster development provisions. Maryland Environmental Trust: 11,637 acres (as of 6/2002). Land trusts: 214 acres (as of 4/2001). MET and land trusts estimated 190 parcels. Almost 60,000 acres of watershed and sensitive areas are publicly owned. Numerical Goal: Permanently protect a total of 80,000 agricultural acres.

Funding. Acquisition Spending to Date: $86.5 million
Revenues: Annual appropriation from county bonds, county general funds, state agricultural land transfer tax, Federal Farmland Protection Program, and state Rural Legacy grants.

Governance and Organization. The county’s farmland preservation program is located in the Department of Environmental Protection and Resource Management. A five member (three must be farmers) Agricultural Land Preservation Advisory Board oversees the program.

Staff and Operating Budget. Annual budget of $75,000- $100,000. Two staff persons who devote about 60% of their time to farmland preservation.

Origins. Citizen interest surfaced in the 1970s as a response to perceived urban sprawl starting in the 1950s and 60s. Local groups advocated a new Master Plan in 1975 that delineated growth areas and adopted resource conservation zoning. In 1979, the Maryland Agricultural Land Preservation Program was accepted by the county as a way for landowners to recover some of the land value lost through downzoning. The uncertain funding of the state program and desire to retain more funding at the local level resulted in the county developing its own PDR program in 1994.

Acquisition Process and Strategy. The Advisory Board reviews and approves acquisition criteria. A point system incorporates objective measures (researched and assessed by staff) and subjective measures, such as points based on observation at site visits. The elected County Council has final approval of county-funded purchases. The Maryland Agricultural Land Preservation Foundation, County Council and Planning Commission are involved in reviewing MALPP purchases, while the state Board of Public Works has the final say on all MALPP and Rural Legacy easements.

Data for 2002 unless otherwise indicated.
Quantitative Rating of Parcels: Yes. Maximum of 230 points emphasizing agricultural quality, farm management, contiguity, parcel size, natural resource values, planning compatibility and development proximity. Ties broken on cost.

Other Criteria: COUNTY PROGRAM: Must be at least 50 acres or contiguous to a preserved property. MALPP: Must be enrolled in an ag district, at least 50 acres, some exception apply, with at least 50% Class I, II and III soils. RURAL LEGACY: Property must be located in the designated Rural Legacy area.

Connections to Local Planning and Land Use Policies. The easement program assists in implementing the county Master Plan. The Urban/ Rural Demarcation line, now called Priority Funding Areas, restricts sewer and water extension into the rural area and channels growth to the urban area. A People’s Council is a part of the government system that takes zoning appeals and decisions to develop prime farmland to court to defend the county’s laws and ordinances. This group is a key to enforcing zoning regulations. Flexible use regulations, Right-to-farm protection, voluntary districts and tax credits are offered to support farming in APAs.

Zoning: The Master Plan delineates the Agriculture Protection Areas (139,301 acres total - 33% of the county). Most of the APA has RC-2 zoning, allowing parcels between 2-100 acres to be subdivided one time, plus one lot per 50 (1:50) additional acres. RC-4 zoning covers 14,000 acres allowing 1:5 density, with residences clustered on 30% of the acreage and the remainder preserved in a perpetual easement. The Development of Prime and Productive Land Regulation minimizes lot size and directs the dwelling location to maintain farm use on the remaining property.

Agricultural Land. 139,301 acres zoned for agricultural use in the northern and northeastern part of the county


Demographics.

2000 Population: 754,292
1990-2000 Population Change: +62,158 residents, +8%

Other Agricultural Characteristics.

1997 Market Value: $51.2 million
Principal Commodities: nursery & greenhouse crops, dairy products, horses

Easement Geography – Map Narrative

Agricultural easements are mostly located in several Agricultural Protection Areas, mostly in the northern part of the county. Some growth extends into the Agricultural Protection Area along I-83, a major highway into the City of Baltimore. Only a few small easements are located contiguous in or near the growth area surrounding the City of Baltimore. Two major easement blocks (approaching 8,000 acres each) are developing; one east of I-83 and one west of I-83 in the Piney Run Rural Legacy Area. Approximately 25% of the easements are dispersed around the Agricultural Protection Area outside of these blocks.

data for 2002 unless otherwise indicated
Protected Lands and 2000 Generalized Land Use/Land Cover
Baltimore County

Protected Lands
- Agricultural Easements
- Public Lands
- All Other Protected Lands

Land Use/Land Cover
- Developed
- Agricultural
- All Other Resource Lands

Source: Baltimore County 2002

Maryland Department of Planning
Comprehensive Planning Division
December 2002
Township program. Formed in 1994.

Overview. Peninsula was the first township government in the nation to operate a PDR program. The program was established in 1994 with a dedicated property tax rate that was nearly doubled in 2002. Easements have resulted in retaining a viable local agricultural economy, despite increasing residential development pressures and the community’s attractiveness as a popular site for summer vacationers. The Old Mission Peninsula, a scenic, narrow 17-mile-long area of 17,000 acres bisecting the Grand Traverse Bay in the northwest part of lower Michigan, has a long history of supporting agriculture. The peninsula has a unique microclimate and rolling terrain surrounded by Lake Michigan, ideal for orchards and vineyards. The Grand Traverse area continues to produce almost 40 percent of the red tart cherries in the country.


Funding. Acquisition Spending to Date: $6 million. Includes cash purchases of $4 million and $2 million in installment contracts. Revenues: Property tax, federal Farmland Protection Program, Michigan Natural Resources Trust Fund (MNRTF), and the Michigan Intermodal Surface Transportation Efficiency Act (ISTEA). Voters in November 2002 replaced the original 1.25 mills property tax with a two mill earmarked for 20 years. (1 mill = 1$ per $1000 of taxable value).

Governance and Organization. The township governing body, the elected Township Board, oversees the easement program. An appointed Planning and Zoning Commission recommends land use policies. The Township Board appoints the seven-member ad hoc Program Selection Committee for the PDR program, which advises the Township Board in the selection of easement parcels.

Staff and Operating Budget. The township planner and zoning administrator is also the administrator of the program and its only staff person. Consultants are hired as needed for appraisals and legal work. No specified annual operating budget is designated for the program.

Origins. Community concern for farmland conversion and the desire to preserve the township’s unique agricultural economy generated criticism in 1977 of township board rezoning actions leading to the development of some parcels previously zoned for agriculture. 1:5 zoning density (1 house per 5 acres) was seen as inadequate for farmland protection. Pushed by citizens, Township Board created the PDR program by ordinance in 1994. Township residents voted in the same year to approve 1.25 millage to fund the program.

data for 2002 unless otherwise indicated
**Acquisition Process and Strategy.** The Township Board makes final decisions on easement acquisitions, after the Program Selection Committee reviews and prioritizes applications and makes recommendations. *Quantitative Rating of Parcels:* Yes. Major emphasis is given to Agricultural Quality (suitability for red tart cherry production) and Prime Scenic views; lesser weight to Contiguity and Parcel Size. The scores are used to prioritize applications for funding.

*Other Criteria:* To be eligible for the program, parcels must be part of the 9,200 acres zoned and designated in the mapped Agricultural Preserve Area. The APA primarily contains the inland, productive soils of the peninsula most suitable for agricultural production.

**Connections to Local Planning and Land Use Policies.** The program is tied directly to township zoning and planning. The easement acquisitions directly carry out the township master plan, which has evolved into a complete build-out scenario. Easements are located within the 9,200 acre Agriculture Preserve Area, which contains more than half of Peninsula Township’s 17,700 acres. When complete, the program will have placed deed restrictions on all the remaining parcels in the APA, thus covering 50% of the township’s land area. Also, the township zoning ordinance has been amended to accommodate vertical integration of agricultural operations to facilitate home-based businesses, and to increase farm viability and long-term farming enterprises. The township is also seeking to create buffers around the Agricultural Preserve Area to include agriculturally zoned areas not now in the APA.

*Zoning:* The agricultural zoning density of 1:5 has remained the same since the early 1970s.

**Agricultural Land.** 9,200 agricultural acres. 8,500 acres cropland—65% cherries, 35% grapes and other crops.

*Conversion to Urban Use:* The peninsula lost 1,100 acres of agricultural land to urban uses in 1968-89. Since the start of the easement program in 1994, only 70 cropland acres have been converted, less than 1% of 1990 cropland base. A strong market for farmland for agricultural purposes, largely the result of the easement program, is an obstacle to more extension urban conversion.

**Demographics.**

2000 Population: 5,265 (summer population increases by 20%)

1990-2000 Population Change: +1025 residents, +23%

**Other Agricultural Characteristics**

1997 Market Value: $11.6 million

Principal Commodities: sweet and tart cherries and grapes

Easement Geography – Map Narrative

All easements acquired through the Peninsula Township program are located in the 9,200 acre Agricultural Preserve Area. On the elevated ground in the center of the peninsula, this area contains most of the township’s agriculturally zoned and unique farmland. The approximately 50 miles of Lakje Michigan shoreline is developed. The land between the Agricultural Preserve Area and the developed shoreline is available for future residential development. More than one third of the parcels in the Agricultural Preserve Area have been protected by easements, with virtually all the remaining properties expected be in by easements by 2008.

Data for 2002 unless otherwise indicated
New Jersey
CUMBERLAND COUNTY (focus on Hopewell Township)
researched by Andy Andrews

Overview. Cumberland County’s farmland protection program, with more than 7,000 acres under easement, is one of the largest county programs in New Jersey. Key features of the program are: (1) Land values and therefore easement values are relatively low, providing the potential to preserve a significant amount of farmland, and (2) Through the ranking system, the program targets large tracts of farmland in contiguous agricultural areas, so that large blocks of farmland are preserved. Cumberland is one of the more rural counties in the state, located between Cape May and the New Jersey Turnpike and bordering the Delaware Bay. As such, Cumberland has not encountered the development pressure of counties to the north and may be a safe haven for agriculture well into the future.

Easement Activity. 7,280 agricultural acres on 54 parcels. Most farms under easement grow vegetables, including lettuce, beans, tomatoes, sweet corn and melons. Significant acreage also is in nursery and grain crops.
Numerical Goals: One year goal: 600 acres Five year goal: 5,000 acres Ten year goal: 10,000 acres.
Other Easement Programs in County: 1,846 agricultural easement acres on 8 parcels directly preserved by the State Agricultural Development Committee.
Total Agricultural Easements in County: Approximately 9,000 acres

Funding.
Acquisition Spending to Date: $13 million on county-held agricultural easements.
Revenues: 78% from state; 22% county property tax (1 cent per $100 per assessed value)

Governance. A county government program overseen by the Cumberland County Agriculture Development Board whose members are appointed for indefinite terms by the Board of Freeholders. The program is housed in the county’s Department of Planning and Development.

Staff and Operating Budget. 1 full-time staff person and a part-time administrative assistant.

Origins. The Ag Development Board was created in the early 1980s, largely to work on economic development issues involving the retention of agriculture in a relatively rural and poor county. The board initially focused on the viability of local agriculture as an industry. Not until the early 1990s did the county begin to acquire ag easements; the first was purchased in 1992. The first program administrator was employed in 1988 to work on permanent preservation activities.

Acquisition Process and Strategy. Applications are scored and those approved by the county are sent to the state. If the state approves the application, 2 independent appraisals are done on the property.

data for 2002 unless otherwise indicated
Quantitative Rating of Parcels: Yes, at both county and state levels. County gives the highest priority to agricultural quality, development threat, parcel size and location and connection to county plans. Similar weights at the state level.

Connections to Local Planning and Land Use Policies. In New Jersey, planning and zoning are conducted at the township (municipal? level. Focus on Hopewell Township: Hopewell has among the largest acreage of ag land under easement in the county. This town has started approaching farmland owners for easement acquisitions in strategic locations, areas with the greatest development pressures. Also based on state priority areas, known as Agricultural Development Areas (AAAS). This township has one person committed to looking into new zoning strategies to direct new development away from ag land and into developed areas as well as strategically preserving agricultural land.

Zoning: Zoning densities in agricultural areas in Cumberland County townships ranges from 1:6 to 1:2.

Agricultural Land. 66,288 acres. 76% cropland.
Conversion to Urban Use: A smaller extent than other areas of New Jersey.

Demographics.
2000 Population: 146,400
1990-2000 Population Change: +6%

Other Agricultural Characteristics.
1997 Market Value: $94 million
Principal Commodities: vegetables, sweet corn and melons, nursery and greenhouse, fruits and berries.

Easement Geography - Map Narrative
Easements are concentrated in the western portion of the county. There are several reasons for this: (1) The western portion of the county contains most of the prime farmland that has not yet been developed. (2) The southern portion of the county is marshy and tidal, much of it publicly owned in the form of wildlife refuges, while the east is largely developed and suburbanized. (3) The townships in the west have been most supportive of the program. Most easements (74% by acreage and 77% by number) are located in the municipalities of Hopewell and Upper Deerfield. The remaining easements are spread over the four townships of Fairfield, Greenwich, Stow Creek and Vineland.

data for 2002 unless otherwise indicated
Pennsylvania
LANCASTER COUNTY AGRICULTURAL PRESERVE BOARD
researched by Deborah Bowers

Countywide program. Created in 1980.

Overview. The Lancaster County farmland preservation program preceded the Pennsylvania state program by nine years, and is currently ranked as the national leader in PDR programs for number of acres preserved. It has served as a model of achievement for many communities in the United States seeking to create their own programs. Lancaster County contains some of the most productive soils in the nation and is the top agricultural county in the Northeast. At the same time the county’s rural character and other attractions, including the Amish and Mennonite communities, draw new residents in large numbers. The historic City of Lancaster is one hour from Philadelphia. Lancaster County is divided into 60 municipalities, including the city, boroughs and townships.

Easement Activity. 45,425 agricultural acres preserved on 473 properties. Corn, soybeans, orchards, dairy, hogs.
Total Ag Easement Acres in County: 55,009, which include 9,584 acres acquired by the Lancaster Farmland Trust.

Funding. Acquisition Spending to Date: $85 million
Revenues: General fund appropriations and bond funds. County Commissioners began funding the purchase of easements in 1985, gradually increasing spending from less than $400,000 to $1.5 million annually. In 1999 voters approved $25 million in bond funds for the program.

Governance and Organization. The Agricultural Preserve Board (APB), which oversees the easement program, is appointed by the Lancaster County Board of Commissioners. The nine-member APB is an independent board, housed with the Lancaster County Planning Commission.

Staff and Operating Budget. 6 staff including executive director and others with responsibilities in project management, monitoring and data collection. Annual operating budget in 2003 is $900,000, which includes appraisals, surveys and title work reimbursable by the state.

Origins. A strong grassroots effort by farmers and others interested in the future of agriculture led to the Lancaster County Commissioners establishing the APB in 1980. A referendum was not needed.

Acquisition Process and Strategy. Program manager conducts parcel ranking and the APB reviews these rankings and makes formal offers.
Quantitative Rating of Parcels: Yes. Offers are prioritized based on point scores derived from a Land Evaluation and Site Assessment (LESA) formula. The APB places strongest emphasis on agricultural quality, paying particular attention to soils, and also focuses on a parcel’s location in terms of proximity to other preserved farms. Development pressure also figures high. Of significant but lesser importance are parcel size and farm management.

data for 2002 unless otherwise indicated
Other Criteria: No part of the county is generally favored over any other. But the program disqualifies farms that are within a township-designated urban growth boundary (UGB). The board will, however, prioritize farms that lie just outside these boundaries to reinforce a UGB and protect farmland beyond.

Connections to Local Planning and Land Use Policies. The Lancaster County Planning Commission staff produces a comprehensive plan and advises and provides technical assistance to municipalities, which conduct their own planning and zoning. The activities and policies of the Agricultural Preserve Board have figured significantly in planning techniques and strategies adopted by the County Planning Commission for recommendation to townships. For example, APB objection to the adoption of cluster or open space subdivision requirements as a farmland preservation technique resulted the elimination of this provision from a proposed comprehensive plan revision in the 1990s.

Zoning: The APB was also instrumental in urging townships to adopt agricultural protection zoning. All townships in the county now have zoning that restricts density in agricultural areas to one unit per 25 acres (1:25).

Agricultural Land. 391,836 acres, 84 percent cropland.
Conversion to Urban Use: Estimated 1500-2000 acres annually in recent years, exceeded by annual increase of about 5,000 acres in easement acres.

Demographics
2000 Population: 470,658
1990-2000 Population Change: +11%

Other Agricultural Characteristics
1997 Market Value: $767 million
Principal Commodities: poultry and poultry products, dairy, hogs

Easement geography – Map Narrative
The county’s northwestern corner contains a major concentration of easements. Many of them are wedged between two urban growth boundaries, effectively preventing development from joining the two. Another block of easements appears to be developing in the southern end of the county, as well as in the northern areas between Lititz and Ephrata and north of Ephrata. Smaller clusters of protected farms and located elsewhere. There is a notable absence of easements along the eastern side of the county from Quarryville, northward, an area adjacent to Chester County.

data for 2002 unless otherwise indicated
Overview. The Vermont state program, operated by the Vermont Housing and Conservation Board (VHCB), is the third largest agricultural easement program in the nation, with more than 100,600 acres accumulated. It is a quasi-public program that partners with sponsoring entities, mainly land trusts and municipalities, to protect farmland. The state program provides funds and oversight and the sponsoring entities manage and operate the easement programs. Franklin County is a rural agricultural county that lies directly north and within easy driving distance of Chittendon County (city of Burlington), the most heavily populated and fastest growing county in the state.

Easement Activity. 100,651 agricultural acres on 318 parcels. Sixty percent of protected farmland is located in Addison and Franklin Counties, the most productive agricultural counties in the state. While various farm activities are covered, dairy farms make up a majority of the farms protected. Franklin County: more 25,000 agricultural acres in easements.

Numerical Goals: No specific number.

Other Easement Programs in the State: In addition to agricultural easements, the VHCB funds the acquisition of recreational, historic and natural lands. The state program works in partnership with land trusts, which hold and manage the state-funded easements. Land trusts also acquire their own easement. More than 250,700 acres of agricultural and other lands have been conserved as a result of state and private efforts.

Funding.

Acquisition Spending to Date: $54.8 million by VHCB.

Revenues: 38% from state property transfer tax; 12% USDA Farms for the Future program; 6% federal Farmland Protection Program.

Other Arrangements: Privately funded easement acquisition projects are screened through the state application process.

Governance. The Vermont Housing and Conservation Board is a state government agency charged with administering funds from the housing and conservation trust fund. The board is composed of nine members, including five citizen members. The VHCB provides loans and grants to local government and private, nonprofit land trusts, which complete land projects in accordance with VHCB specifications. Easements are co-held by VHCB, the Vermont Department of Agriculture and the sponsoring entity.

Staff and Operating Budget. VHCB employs nearly 30 staff among all of its programs. The farmland protection program has three full-time equivalent positions and operates on an annual budget of $275,000. In addition, several land trusts have dedicated staff and operating budgets to complete projects and manage the farmland protection and stewardship activities.

Origins. VHCB was initiated in the mid-1980s by a coalition of advocates for affordable housing, conservation and historic preservation. They were concerned about the pace of urban development and rising housing and land prices. The coalition urged the state legislature to form the agency to review and fund projects addressing conservation and housing affordability issues.

Acquisition Process and Strategy. Emphasis is on acquiring productive farmland in areas of the state where there is high likelihood of continued active farming. Sponsoring entities actively work with interested landowners and assist in completing a pre-application form. The Agricultural Advisory Committee data for 2002 unless otherwise indicated
determines the projects that are invited to submit full applications. The VHCB has final say on which applications are funded. Several application rounds per year, active outreach, and high levels of funding have resulted in the steady acquisition of easements.

**Quantitative Rating of Parcels:** No.

**Other Criteria:** Priority is given to projects that: (1) contain high quality soils and potential for diversified agricultural use; (2) add to blocks of conserved farmland; (3) have a viable farm infrastructure; and (4) practice sound resource management.

**Connection to Local Planning and Land Use Policies.** Other than asking for letters of support from regional and town planning commissions and town select boards for specific projects, the Vermont easement program has little connection with local planning and land use policies which are town functions.

**Zoning:** Varies by town.

**Agricultural Land.** 1.2 million acres statewide. Approximately half cropland. Franklin County: 190,215 agricultural acres, half cropland.

**Conversion to Urban Use:** Vermont has a 20% decline in farmland between 1982 and 1997. Franklin County, the third fastest growing county in the state, experienced a 15% decrease.

**Demographics**

- **2000 Population:** 608,827 statewide, 45,417 Franklin County
- **1990-2000 Population Change:** +46,069, +8% statewide; +5,437, 13.6% in Franklin County

**Other Agricultural Characteristics**

- **1997 Market Value:** $476 million statewide; $99.6 million Franklin County.
- **Principal Commodities:** dairy, cattle and calves.

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**Easement Geography - Map Narrative**

Most state-funded easements in Franklin County are located in the western half of the county in productive areas. There are several larger blocks of contiguous farmland along Lake Champlain and near Interstate 89, which bisects the western end of the county. The eastern end of the county is more mountainous and contains fewer farms.

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Data for 2002 unless otherwise indicated
Overview. Skagit County’s “Farmland Legacy Program” is one of the most active agricultural easement programs in Washington, second only to King County. Skagit is one of the state’s leading agricultural counties, with 73,000 acres in production. The county lies along Interstate 5, halfway between two powerful urban economies – Vancouver, B.C. to the north, and the Seattle metropolitan area to the south. Most of its highly productive agricultural lands are near to the freeway and within a one-hour drive from downtown Seattle. Key features of the easement program is its point system, used to prioritizing properties for acquisition, and a market-based formula that establishes the prices paid for easements as an alternative to appraisals.

Easement Activity. 2,500 agricultural acres have been protected by easement in 39 transactions since the program was funded in 1999. Easements cover a variety of crops and dairy farms. Average easement size is 64 acres.

Numerical Goals: The program has no numerical goals, but has a general objective of protecting a critical mass of agricultural lands.

Other Easement Programs in County: In addition to the county’s Farmland Legacy Program, two private land trusts acquire easements. The Skagit Land Trust holds 1,615 acres in 35 easements, mostly protected for non-agricultural values. Skagitonians to Preserve Farmland holds some 2,000 acres of agricultural easements in the county.

Total Agricultural Easements in this County: With the 2,000 acres held by Skagitonians and 2,500 held by the Farmland Legacy Program, there are at least 4,500 acres currently under agricultural easement – a few more if one adds in a small amount held by the Skagit Land Trust.

Funding.

Acquisitions Spending to Date: $2.25 million in since 1999 spent by the county on agricultural easements. Revenues: Annual revenues from property taxes (a local option tax known as “conservation futures”) come to just over $500,000. Additional funds for acquisitions have come from grants and federal matching funds.

Other Arrangements: The Skagit County Commission is currently considering issuing bonds to accelerate the pace of acquisitions and thus take fullest advantage of current property values and federal funding.

Governance. This program is a separate department of Skagit County Government administered by a director who answers directly to the Skagit County Commission.

Staff and Operating Budget. The program is operated by a single staff person. It has an operations budget of $152,000 in 2003.

Origins. Program was originated by a citizens movement led by a local citizens group, Skagitonians to Preserve Farmland. A public opinion survey sponsored by the group provided strong initial impetus. In 1997, a study commission was created by the County Commission to develop the guidelines that were adopted in 1999. These guidelines were very detailed and became the basic operating plan for the program. Also in 1999, the County Commission implemented the program by passing the Conservation Futures Tax—a property tax measure.

Data for 2002 unless otherwise indicated.
Acquisition Process and Strategy. Applications are ranked and priced based upon a detailed point system. Applications are 1) ranked by a Conservation Futures Program Advisory Board, 2) negotiated with the landowner and a formal offer to sell is obtained, and 3) are then reviewed and approved by the Board of County Commission which has the final decision.

Quantitative Rating of Parcels: Yes. The priority system assigns points based upon farmland quality, threat of conversion, scenic and environmental values, and financial considerations.

Other Criteria: Only properties located within the Agricultural and Natural Resources zones are eligible for this program. Once a property has been prioritized and assigned a weight, a separate formula is used to determine the price. This formula is designed to be market-based, but no appraisal is required.

Conservation Plan Required: The program does not require a conservation plan. The standard easement does, however, require the use of sound agricultural practices that do not result in soil or water erosion. Conservation plans are only required when federal funding is used.

Connections to Local Planning and Land Use Policies. While this program is not run through the Planning Department, there is a good deal of interaction between the two. Protected properties are flagged by the planning department so no improper permits will be issued.

Zoning: Skagit County’s Agricultural/Natural Resource zoning is 1:40. (Only properties located within this zone are eligible for the easement program. It is believed that, by providing an alternative to development, this program has helped the County maintain it’s 1:40 zoning for Agriculture.

Agricultural Land. 93,500 acres. 70% cropland.

Conversion to urban use: some direct conversion, but farmland increased 2% in 1992-97 from 92,000 to 93,500 acres.

Demographics:
2000 Population: 102,979
1990-2000 Change: +29%

Other Agricultural Characteristics.
1997 Market Value: $171 million
Principal Commodities: dairy products, nursery and greenhouse, vegetables, sweet corn, melons.

Easement Geography – Map Narrative
The Farmland Legacy Program’s easements are concentrated in the heavily agricultural western part of the county. In this area easements are largely dispersed pattern, with some clusters. Most of the acquisitions are located in areas that are within a short driving time from Interstate 5, the major North-South freeway in the area.

data for 2002 unless otherwise indicated